

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 27, 2006

DIVISION ONE

B181697 People (Not for Publication)
v.
Clark

The judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
Mallano, J.

B184293 People (Not for Publication)
v.
King

The sentence is vacated and the case is remanded for resentencing at which time the trial court should reconsider the *Romero* motion in light of the views expressed herein. In all other respects, the judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B183825 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Christopher B.

The challenged adjudicatory and placement orders are affirmed.

Rothschild, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J., and Joyce Hatter,
Deputy Clerk.

Each of the following:

B184739 DCFS v. Robin L.
B182607 People v. Laverett
B181550 People v. Mack
B182327 People v. Jackson & Johnson

Argument waived, cause submitted.

B181285 Downey Savings & Loan Assoc.
 v.
 Berney, et al.

Merits:
Appellant previously waived oral argument. Russell Berney appeared for
respondents and waives argument. Cause submitted.

DIVISION TWO (Continued)

B182959 Kim
 v.
 Lee

Merits:
Argued by Patricia Barry for appellant. Respondent waived oral argument.
Cause submitted.

B182097 Ostermeier
 v.
 Alperstein

Merits:
Argued by David Khan for appellant and by John Jackman for respondent.
Cause submitted.

B176830 Susan B., a minor, etc.
 v.
 Los Angeles Unified School District, et al.

Merits:
Argued by Katherine Pene for appellants (Susan B., et al.) and by J. Alan Warfield for appellants (Los Angeles Unified School District, et al.). Cause submitted.

Court adjourned.

DIVISION THREE

B181513 Arteena Rubenstein (Not for Publication)
 v.
 Alan Douglas Rubenstein

The judgment is reversed insofar as it awards Arteena \$112,855.50 in attorney fees for the period subsequent to November 2001; on this issue, the matter is remanded for further proceedings consistent with the principles set forth herein. The judgment is otherwise affirmed. Arteena shall recover attorney fees and costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B178024 Margarita Diaz (Not for Publication)
 v.
 Advanced Bionics Corporation et al.

The judgment is affirmed. Each party to bear their own costs.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FIVE

B184760 Deborah Mills (Certified for Publication)
 v.
 Bed, Bath & Beyond, Inc.

The petition for writ of mandate is denied. Costs of this proceeding are to be awarded to the real party in interest.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

January 27, 2006 (Continued)

DIVISION FIVE (Continued)

B177297 People (Not for Publication)
v.
Sabino Bahadur

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J. (with opinion)

B181088 People (Not for Publication)
v.
Dwight Krizman

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

B176874 Bernard Endres et al.,
v.
Karen Moran et al.,

Filed order modifying opinion. (No change in the judgment)

DIVISION EIGHT

B177458 Grusd, M.D. et al., (Not for Publication)
v.
Admiral Insurance Company,

The trial court's judgment of dismissal is reversed. The cause is remanded to the trial court with directions to set aside the order sustaining the demurrer without leave to amend as to the breach of contract cause of action, and to enter a new order overruling the demurrer as to that cause of action. The order sustaining the demurrer as to the bad faith cause of action is affirmed. Each side is to bear its own costs on appeal.

Boland, J.

We concur: Rubin, Acting P.J.
Flier, J.

B178679 Yolanda Bradley (Not for Publication)
v.
Radisson Hotel et al.,

The judgments in favor of the Hotel and Housing Services are reversed. The matter is remanded for trial or further proceedings consistent with this opinion. Bradley is to recover her costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

B184462 Frank Bugarin et al. (Certified for Publication)
v.
Chartone, Inc.,

The judgment is affirmed. Respondent is to recover its costs on appeal.

Flier, J.

I concur: Cooper, P.J.
I concur: Rubin, J. (Opinion)

January 27, 2006 (Continued)

DIVISION EIGHT (Continued)

B180744 Gunnell, (Not for Publication)
v.
Silas et al.,

The judgment is affirmed. Respondent Martina Silas's motion for attorney's fees and sanctions is denied. Respondents to recover their costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.